

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: MENDRICK, et al.

Art Unit: 1631

Serial No.: 10/541,937

Examiner: Carolyn Smith

Old Atty. Docket: OCIM-005/06US

Filed: July 10, 2006

New Atty. Docket: 966944-00005-06US

For: MOLECULAR
CARDIOTOXICOLOGY MODELING

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 C.F.R. §§ 1.9(d) and 1.27(b)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below;
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF SMALL BUSINESS CONCERN: Ocimum Biosolutions, Inc.

ADDRESS OF SMALL BUSINESS CONCERN:

59 West Watkins Mill Road, Gaithersburg, MD 20878, USA

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 C.F.R. 1.213-18, and reproduced in 37 C.F.R. 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled "Molecular Cardiotoxicology Modeling" by inventors Douma Mendrick, Mark W. Porter, Kory Johnson, Brandon Higgs, Arthur L. Kaske, and Michael Elashoff described in:

- ☐ the specification filed herewith
- ☒ application no. 10/541,937, filed July 10, 2006
- ☐ patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c)

if that person made the invention, or by a concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING _____

Dr. Cy Cabradilla

TITLE IN ORGANIZATION _____

Vice President of Global Operations

ADDRESS OF PERSON SIGNING _____

50 West Watkins Mill Road, Gaithersburg, MD 20878, USA

SIGNATURE _____

Dr. Cy Cabradilla

Date: _____

5/28/2009